

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRIAN SCOTT WILLIAMS,	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 05-1097
	)	
PENNSYLVANIA BOARD OF	)	
PROBATION AND PAROLE, et al.,	)	
Respondents.	)	

O R D E R

AND NOW, this 30th day of November, 2005, after a petition for a writ of habeas corpus was filed by the petitioner, Brian Scott Williams, and after a motion to dismiss was submitted by the respondents, and after the Report and Recommendation of the United States Magistrate Judge was issued, and the parties were granted ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, including the April 18, 2005 determination of the Pennsylvania Board of Probation and Parole, and after independent review of the petition and the record, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted as the opinion of this Court,

IT IS ORDERED that the respondents' motion to dismiss (Docket No. 5) is granted, that the petition of Brian Scott Williams for a writ of habeas corpus is dismissed, and that a

certificate of appealability is denied for lack of a viable federal claim.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the F.R.App.P., if the

petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided by Rule 3 F.R.App.P.

/s/ Joy Flowers Conti

United States District Judge

cc: Brian Scott Williams  
AP 9686  
S.C.I. Albion  
10745 Route 18  
Albion, PA 16475-0004

All Counsel of Record

Honorable Robert C. Mitchell  
United States Magistrate Judge